

## INFORMATION REGARDING TAKE-BACK PROGRAMS

- The DEA Office of Diversion Control is receiving an increasing number of contacts expressing concern about the proper disposal of pharmaceutical controlled substances dispensed to end-users. DEA recognizes the need for efficient, secure, and environmentally sound methods to collect and dispose of unwanted controlled substances. The Controlled Substances Act (CSA) and its implementing regulations do not provide a readily available mechanism to accomplish this process. With the increase of abuse and diversion of pharmaceutical controlled substances, the disposal of end-user pharmaceutical controlled substances has become a priority for DEA.
- Many local communities and law enforcement agencies are dealing with this issue on a daily basis and have approached DEA requesting approval of various "take-back" programs. Several of the proposed programs advise end-users to transfer controlled substances to a DEA registered individual or business. The system of registration established by the CSA prohibits a DEA registrant from acquiring controlled substances from non-registered entities and, in turn, bars an end-user from distributing pharmaceutical controlled substances to a DEA registrant. DEA has initiated a review of this matter to determine a possible solution with the goal of promulgating regulations through the notice-and-comment rulemaking process.
- In the interim, DEA has supported requests by law enforcement agencies to operate their own "take-back" programs.
- Under Title 21 CFR 1307.21 a procedure is provided for the Special Agent in Charge (SAC) to grant approval to law enforcement agencies to operate "take-back" programs. The regulation states that any person in possession of a controlled substance and desiring to dispose of such substance may request instructions from the SAC in the area in which the person is located. The SAC may specify the means of disposal to assure that the controlled substances do not become available to unauthorized persons.

### TO OBTAIN APPROVAL

1. Write a letter detailing your take-back program to include all locations of collection boxes or other collection activities and send it to:

Write it to: Jeffrey D. Sweetin, SAC

**SEND IT TO: TAKE-BACK PROGRAM**

Attention GS Lynnette Wingert  
348 E. South Temple  
Salt Lake City, Utah 84111

2. You will receive a letter back giving you authorization.
3. You may contact GS Wingert at (801) 524-4096 or (801) 330-4416

**It is important to understand that state and local government agencies and community associations may hold "Take Back" programs, but only if law enforcement takes custody of the controlled substances and is responsible for its disposal.**